

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants : Robert E. Fischell et al.

Serial No. : Art Unit:

Filed : Examiner:

For : STENT DELIVERY CATHETER SYSTEM FOR PRIMARY STENTING

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March 2, 2004

(Date of Deposit)

Paul A. Coletti  
(Name of applicant, assignee, or Registered Representative)

Paul A. Coletti

(Signature)

March 2, 2004

(Date of Signature)

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Pursuant to 37 C.F.R. §1.56 and in accordance with 37 C.F.R. §§1.97-1.98, information relating to the above-identified application is hereby disclosed. Inclusion of information in this statement is not to be construed as an admission that this information is material as that term is defined in 37 C.F.R. §1.56(b).

Applicant(s) reserve(s) the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist.

☒ In accordance with §1.97(b), since this Information Disclosure Statement is being filed either within three months of the filing date of the above-identified national application (other than a continued prosecution application under §1.53(d)), within three months of the date of entry into the national stage of the above identified application as set forth in §1.491, or before the mailing date of a first Office Action on the merits of the above-identified application, or before the mailing date of a first Office Action after the filing of a request for continued examination under §1.114, no additional fee is required.

☐ In accordance with §1.129(a), this Information Disclosure Statement is being filed in connection with ☐ the first or ☐ second After Final Submission, therefore:

☐ Statement in Accordance with §1.97(e) (attached);  
or

☐ Please charge Deposit Account No. 10-0750/CRD-946 DV/PAC the fee of \$180.00 as set forth in §1.17(p).

☐ In accordance with §1.97(c), this Information Disclosure Statement is being filed after the period set forth in §1.97(b) above but before the mailing date of either a Final Action under §1.113 or a Notice of Allowance under §1.311, or an action that otherwise closes prosecution and that it is accompanied by one of:

☐ Statement in Accordance with §1.97(e) (attached);  
or

☐ Please charge Deposit Account No. 10-0750/CRD-946  
DIV/PAC the fee of \$180.00 as set forth in  
§1.17(p).

☐ In accordance with §1.97(d), this Information  
Disclosure Statement is being filed after the mailing date of  
either a Final Action under §1.113 or a Notice of Allowance under  
§1.311 but before the payment of the Issue Fee. Applicant(s)  
hereby petition(s) for consideration of this Information  
Disclosure Statement. Included are: Statement in Accordance  
with §1.97(e) as set forth below and the fee of \$180.00 as set  
forth in §1.17(p).

☒ Copies of each of the foreign references listed on the  
attached Form PTO-1449 are enclosed herewith.

☐ Copies of references listed on the attached Form PTO-  
1449 are enclosed herewith EXCEPT THAT:

☐ In view of the voluminous nature of references  
[list as appropriate], and the likelihood that  
these references are available to the Examiner,  
copies are not enclosed herewith.

☐ If any of the foregoing publications are not  
available to the Examiner, Applicant will  
endeavor to supply copies at the Examiner's  
request.

☐ Copies of only foreign patent documents and non-patent  
literature are enclosed in accordance with 37 CFR 1.98 (a)(2).  
(The U.S. patents and each U.S. patent application publication  
listed on the attached Form PTO-1449 are not enclosed because  
this U.S. patent application was filed after June 30, 2003 or  
this international application has entered the national stage

under 35 USC §371 after June 30, 2003 (see USPTO waiver of requirement under 37 CFR 1.98 (a)(2)(i)).

☒ There are no listed references which are not in the English language.

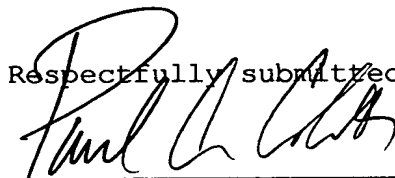
☐ The relevance of those listed references which are not in the English language is as follows:

☐ Attached are copies of search report(s) from corresponding patent application(s), which are listed on the attached Submission Under MPEP 609 D.

☐ Attached are the following non-published pending patent applications which may be deemed relevant, which are listed on the attached Submission Under MPEP 609 D.

Please charge any deficiency or credit any overpayment to Deposit Account No. 10-0750/CRD-946 DIV/PAC. This form is submitted in triplicate.

Respectfully submitted,



Paul A. Coletti  
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Attorney for Applicants

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DATED: *March 2, 2004*

Substitute for form 1449A/PTO

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 1 of 2

<b>Application Number</b>	
<b>Filing Date</b>	
<b>First Named Inventor</b>	Robert E. Fischell et al.
<b>Group Art Unit</b>	
<b>Examiner Name</b>	
<b>Attorney Docket Number</b>	CRD-946 DIV.

**U.S. PATENT DOCUMENTS**

Examiner Initials	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear
		Number	Kind Code <sup>2</sup> (if known)			
		4,739,762		Julio C. Palmaz	04-26-1988	
		5,376,376		Shu-Tung Li	12-27-1994	
		5,653,689		Terrence J. Buelna et al.	08-05-1997	
		5,782,855		Lilip Lau	07-21-1998	
		6,146,323		Robert E. Fischell	11-14-2000	
		4,768,507		Fischell et al.	09-06-1988	
		5,102,417		Palmaz, J.	04-07-1992	
		5,344,425		Sawyer, P.	09-06-1994	
		5,639,274		Fischell et al.	06-17-1997	
		5,735,859		Fischell et al.	04-07-1998	
		5,743,874		Fischell et al.	04-28-1998	
		5,836,966		St. Germain, J.	11-17-1998	

**FOREIGN PATENT DOCUMENTS**

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		Office <sup>3</sup>	Number <sup>4</sup>	Kind Code <sup>5</sup>				
		EP	0 553 960	B1	Advanced Cardiovascular Systems, Inc.	08-27-1997		
		EP	0 775 470	B1	Schneider (Europe) GmbH	03-24-1999		
		EP	0 800 801	A1	Advanced Cardiovascular Systems, Inc.	10-15-1997		
		WO	98/58600	A1	Laboratories Nycomed S.A.	12-30-1998		

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. <sup>6</sup> If possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

(use as many sheets as necessary)

Sheet 2 of 2

**Application Number****Filing Date****First Named Inventor**

Robert E. Fischell et al.

**Group Art Unit****Examiner Name****Attorney Docket Number**

CRD-946 DIV.

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		Number	Kind Code <sup>2</sup> (if known)			
		5,807,404		Richter, J.	09-15-1998	
		6,416,543	B1	Hillaire et al.	07-09-2002	
		5,300,048		Drewes, Jr. et al.	04-04-1994	
		5,792,144		Fischell et al.	08-11-1998	
		5,830,227		Fischell et al.	11-03-1998	
		6,068,634		Cornelius et al.	05-30-2000	
		6,022,097	B1	Wang et al.	04-24-2001	

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Examiner Initials	Cite No. <sup>1</sup>	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document mm-dd-yyyy	Pages, Columns, Lines, where relevant passages or relevant figures appear	T <sup>6</sup>
		Office <sup>3</sup>	Number <sup>4</sup>	KindCode <sup>5</sup>				

Examiner  
SignatureDate  
Considered

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<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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